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1632

PATENTS
Attorney Docket No. CENT/003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Hallenbeck et al.
Application : 09/373,938 Confirmation No. 3124
No. :
Filed : August 13, 1999
For : ADENOVIRAL VECTORS INCLUDING DNA
SEQUENCES ENCODING ANGIOGENIC
INHIBITORS
Group Art Unit : 1632
Examiner : Joseph T. Woitach

New York, New York 10020
April 6, 2004

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-
1450

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed on November 7, 2003, in which the rejection of claims 2, 3, 28-31, 33-41, and 45-49, and objection to claims 42-44 were made final.

[] Applicants respectfully request an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.

04/09/2004 CNGUYEN 00000019 09373938

01 FC:1401

330.00 OP

[X] An additional two-month extension of time to respond to the final rejection is requested and the appropriate extension fee is submitted herewith.

[X] Address all correspondence to:

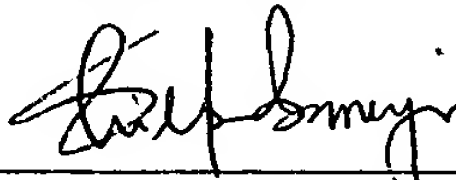
James F. Haley, Esq.
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

[X] A check in the amount of [] \$165.00 [X] \$330.00 in payment of the [X] appeal fee, [] appeal and oral hearing fees, is enclosed.

[] Please charge [] \$165.00 [] \$330.00 to Deposit Account No. 06-1075 in payment of the [] appeal fee; [] appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

[X] The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Barbara A. Ruskin (Reg. No. 39,350)
Shilpi A. Banerjee (Reg. No. 53,965)

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New York, New York 10020
April 6, 2004

Hon. Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATION

Sir:

Express Mail Label No. EV 125371623 US
Date of Deposit: April 6, 2004

I hereby certify that this certification and the
following papers and fees:

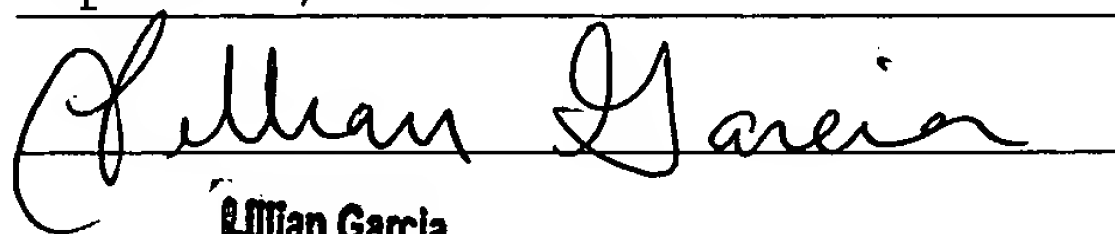
1. Notice of Appeal (in duplicate);

2. Petition for extension of time (in duplicate);
3. Check in the amount of \$330.00; and
4. Check in the amount of \$420.00.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, Virginia 22313-1450.

April 6, 2004

Name:


Julian Garcia